

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:17CR130
)	
vs.)	
)	
TOMAS BENCOMO)	ORDER
)	
Defendant.)	

This matter is before the court on the defendant's unopposed Motion to Continue Trial [18]. Counsel is seeking additional time to negotiate a plea with the government. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the unopposed Motion to Continue Trial [18] is granted as follows:

1. The jury trial, now set for August 29, 2017 is continued, to **October 3, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 3, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED August 23, 2017.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**